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Date: December 19, 2007 Name: Tadashi Horie (Reg. No. 40,437) Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Masaaki YAMAMOTO et al.

Appln. No.: 09/720,729

Filed: December 27, 2000

For: MOBILE COMMUNICATION
TERMINAL

Attorney Docket No: 9683/74

Examiner: Ly, Nghi H.

Art Unit: 2617

Confirmation No. 3943

REQUEST FOR PRE-APPEAL BRIEF REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants request review of the final rejection dated October 18, 2007 in the above-identified application. This request is being filed with a notice of appeal. The review is requested for the reasons stated on the attached sheets. No more than five (5) pages are provided.

Claim 25 is the only independent claim pending

Wells does not disclose or teach the viewer.

Claim 25 recites “a viewer that activates the network browsing functionality to selectively access information provider servers located in the second network and receive one or more blocks of screen data from the accessed information provider servers for preview of the received one or more blocks of screen data by a user of the mobile communication terminal.” This claim limitation is disclosed, for instance, in lines 1-6 on page 14 of the specification. The viewer gives a user the ability to review screen data directly from a second network and the ability to eventually select one or more screen data among the reviewed screen data. In other words, the viewer gives a user the option to review screen data received from the second network before selectively registering the received screen data.

Wells discloses that the definition of an animation sequence can be loaded from the network 32 through the RF link by Over the Air Programming or by Short Message Services messages. (col. 10, lines 11-19). The Over the Air Programming is a service used to install or rewrite a program in mobile stations. The Short Message Service is a service under which push-type information is sent down. Under these services, a user is given absolutely no option to review anything. It is clear that these services have nothing to do with the viewer as recited in claim 25.

In relation to the viewer limitation, the Examiner quoted the language “selectively display” from the Abstract of Wells (see lines 8-9 on page 6 of the Office Action). Please note that in the present invention, “selectively register” and “selectively display” are different operations. In the present invention, screen data is selectively registered from the second network. Thereafter, the registered screen data is selectively correlated to a standby state for display. Thus, “selectively display” is a discrete step and comes after “selectively register”.

In relation further to the limitation, the Examiner quoted the language “be erased and replaced with the same or different characters” from col. 4, lines 47-53 of Wells (see lines 10-14 on page 6 of the Office Action). This quotation is totally misplaced. The

language in the complete sentence reads, “the presently displayed characters can simply be erased and replaced with the same or different characters written to a new location.”

Thereby, both horizontal and vertical scrolling can be accomplished. (col. 3, lines 51-53). The language has no bearing on the viewer limitation. It describes one of the animations, i.e., how the displayed characters are scrolled on the screen.

In relation further to the limitation, the Examiner asserts that the specification is silent about the term “preview”. (lines 14-15 on page 6 of the Office Action). The specification discloses that the CPU 110 displays the received site screen data on the liquid crystal display (see lines 1-6 on page 14). The received site screen data is stored in a temporary memory area (lines 19-20 on page 14). Thus, the CPU 110 keeps displaying different site screen data from the temporary memory area to a user until the user chooses one site screen data at which time the chosen site screen data is transferred to the specific address of the SRAM 135 for recording (line 29 on page 14 – line 1 on page 15). A series of site screen data shown to a user from the temporary memory is a preview for the user to choose one screen data therefrom.

Wells does not disclose or teach the registration control.

Claim 25 further recites “a registration control that upon a selection by the user of one block of screen data through the preview of the received one or more blocks of screen data, stores the selected one block of screen data in one of multiple memory areas each correlatable to any one of the at least one standby state.” The Examiner seems to argue that there is no support for the claim limitation “registration control” in the specification (see lines 14-16 on page 3 of the Office Action: In addition,...interpretation). The registration control is discussed, for instance, in lines 3-6, page 11; lines 5-6, page 13; lines 22-23, page 14; and from line 31, page 14 to line 2, page 15 of the specification.

The registration control gives a user the ability to selectively register screen data among the previewed screen data. There is nothing in Wells that discloses or teaches the registration control. Wells simply states that the definition of an animation sequence can be loaded or stored from a telephone network. In other words, in Wells, a definition

received by a user is automatically registered. In Wells, users are given absolutely no ability to selectively register definitions.

In relation to the registration control limitation, the Examiner again quoted the language “selectively display” from the Abstract of Wells. As explained above, this quotation is misplaced.

Wells discloses that the definition of an animation sequence can be loaded from the network 32 through the RF link by Over the Air Programming or by Short Message Services messages. (col. 10, lines 11-19). Using the Over the Air Programming service, users are given no ability to preview programs before installation of the program. In fact, users are given no option but to install the program. The same is true for the Short Message Service. Under the Short Message Service, users are given absolutely no option but to receive a message. Under the service, users are given no ability to selectively register messages, because “receiving a message” under the service is equivalent to “storing or registering the message” without selection.

Wells, even if combined with Nishino, still fails to teach claim 25.

The only thing Nishino adds to Wells is the ability of the wireless terminal to have Internet access. If the Examiner could extend his imagination to visualize the Wells phone with the Internet access capability of Nishino, it will be realized that such a phone would not be even nearly close to the mobile communication terminal recited in claim 25. First of all, Wells only teaches loading of the definition of an animation sequence, not loading of a picture or image¹. Therefore, Wells and Nishino, even if combined, only teach access of Internet sites for loading the definitions of animation sequences.

More importantly, Nishino does not disclose or teach the registration control recited in claim 25. There is nothing in Nishino that discloses or teaches how data

¹ See lines 31-33, col. 2 (input a definition of a graphical information sequence from an external source for storage in the mobile station); col. 3, lines 60-67 (an “animation” is defined as a sequence (GIS)); lines 5-7, col. 4 (information describing a GIS may be prestored in the mobile station 10 during manufacture); col. 10, lines 10-15 (a data structure defining a given animation sequence can be provided by the manufacture and that animation (or sequence) can be loaded through the external data connection 28).

downloaded from the Internet can be selectively registered. All Nishino teaches is that a wireless terminal can have an Internet access capability. Since neither Wells nor Nishino discloses or teaches the registration control recited in claim 25, Wells and Nishino even if combined still fail to disclose all of the limitations of claim 25. Therefore, claim 25 is patentable over Wells and Nishino.

Again, if the Examiner could visualize the Wells phone with the Internet access capability of Nishino, it is to be realized how important a role the registration control plays in implementing the present invention. Since lacking the ability to selectively register screen data among the previewed screen data, such a phone must permanently store each and every screen data it accesses on the Internet. Such a phone would be so impractical that no one would like to use it. In contrast, the invention as claimed allows the user to review the screen shots (via the viewer), and then select one of the reviewed screen shots.

Thompson et al. has no relevance.

Thomson discloses none of the limitations of claim 25, the network browsing functionality, the viewer, the registration control, the correlation control or the display control. Thomson is directed to an improvement of an antenna configuration and has nothing to do with entertaining users with downloaded pictures.

Support for the claim limitations

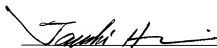
For the Examiner's reference, the table below shows the sections of the specification which discuss the limitations recited in claim 25.

The multiple communication functionalities	from line 31, page 9 to line 6, page 10
The at least one standby state	lines 20-28, page 19
The viewer	lines 1-6, page 14
The registration control	lines 3-6, page 11; lines 5-6, page 13; lines 22-23, page 14; and from line 31, page 14 to line 2, page 15
The correlation control	lines 7-9, page 11; lines 10-11, page 13; lines 17-18, page 15; and lines 3-7, page 16
The display control	from line 31, page 19 to line 4, page 20

As explained, claim 25 should be patentable over Wells, Nishino and Thompson because none of them discloses the registration control. Since claim 25 should be patentable, the dependent claims should also be allowable.

Respectfully submitted,

Dated: December 19, 2007

A handwritten signature in dark ink, appearing to read 'Tadashi Horie', is written over a horizontal line.

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